

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1-5 and 7 are allowed by the Examiner.

At the same time claims 8-10 are rejected as anticipated by the patent to Krimmer.

The Examiner's indication of the allowance of the claims has been gratefully acknowledged, and in connection with this indication these claims have been retained as they were.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicants have amended claim 10 to more clearly define the present invention and to distinguish it from the prior art, and added claims 11 and 12.

In the Office Action the Examiner indicated that the patent to Krimmer does disclose a clapper-type armature. Allegedly there is not provided any special definition to clapper-type armature so that generally

accepted definition of clapper referring to as a plate-shaped armature must be used. The Examiner cited U.S. patent nos. 5,484,270; 5,683,232; and 6,073,630 defining a "clapper" as a plate-shaped armature.

In accordance with the present invention the armature element 7 is designed as a clapper-type armature being coupled to the flux concentrating element 5. This is provided in both versions of the drawings according to Figures 1 and 2. The clapper-type armature 7 either penetrates the flux concentrating element 5 as shown in Figure 1 and is being preloaded by a spring 8 or in the alternative the clapper-type armature according to the embodiment of Figure 2 penetrates the flux concentrating element 5 and is being coupled thereto by a leaf spring 8. The leaf spring 8 according to the embodiment shown in Figure 2 is being held on the lower end of the flux concentrating element 5 according to the embodiment of Figure 2.

The patent to Krimmer has been carefully considered. It does not teach the new features of the present invention as now defined in the amended claim 10. The original claims were rejected over this reference as being anticipated. In connection with this, it is believed to be advisable to cite the decision *In re Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) in which it was stated:

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Definitely, the patent to Krimmer does not teach all elements of the present invention as defined in the amended claim 1 and therefore it is believed that the anticipation rejection should be considered as no longer tenable and should be withdrawn.

The same is true with respect to claims 11 and 12 which defines additional features of the present invention, also not shown in the reference.

In view of the above presented remarks and amendments, it is believed that the present application should be allowed and such action is earnestly solicited.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance,

then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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